

## REMARKS

The Newly Amended "Claims" presented herein recite features contained within the Specification and/or Drawings of the original patent application and, therefore, these amendments do not present any new matter.

The present invention is believed to be novel and unobvious over the below-referenced patents cited in the First Office Action for the reasons explained below in detail. The device of the present application is directed towards, but not necessarily limited to the display of substantially planar objects. It includes three primary aspects in a preferred embodiment: 1) capacity for providing the simultaneous viewability of a plurality of held items; 2) guides within the holding space of the device to facilitate the positioning of held items in uniform relation to each other; and 3) grasping tension method which exerts pressure to hold items substantially without requiring the items to possess predetermined properties. There is also another additional aspect of this disclosure which is desirable, that being an at least partial transparency in connection with an element of the holding device thereby permitting an essentially entirely unobscured view of a held item.

The first Office Action includes the following prior art references: Chang '524, Lawrence '218, Bonnett '911, Hunt '131, McDonald '959, Sampson '954, Cheng '725, Koutras '709, Burkard '526, and Royer '849. While each of the references may contain perhaps one element of the Newly Amended Claims, no one prior art reference contains each and every element of the amended Claims herein submitted in connection with the subject patent application. To anticipate a Claim under 35 U.S.C. § 102(b), each and every element of the claimed invention must be found in a single prior art reference. MPEP § 2131. Accordingly, because no prior art reference describes each and every element of the Newly Amended Claims, these Claims are patentable over all prior art under 35 U.S.C. § 102(b).

## ROYER

U.S. Patent 6,018,849 to ROYER, discloses a device specifically designed for holding together a group of papers in the manner of a traditional paper clip which grasps multiple papers at one single section. As with long-disclosed prior art paper clips, while many items may be held, only one item will actually be displayed, that being the topmost item. The other held items will be obscured and held in a stored manner. Thus, while Royer does disclose the uniform alignment of multiple held items, the held items are not simultaneously displayed and visible.

Royer plainly describes the use of only a single holding section, and a holding section containing, necessarily, a plurality of papers to be held. It is necessary that a plurality of papers be held since the function of Royer's clip invention is to align more than one paper, one to another. There is absolutely no application whatsoever for the elements of Royer's clip invention in relation to only one piece of paper; this is to say that the notion of "alignment" implies a relationship between at least two objects or items. ONLY multiple papers need to be aligned. As such, Royer's invention relates to the storage of papers in a uniform manner, and does not teach or suggest the display of multiple items at all, let alone any simultaneous display of multiple items in a visible manner as recited in Applicant's claims.

There is an aesthetic value to guiding multiple items in simultaneous display so that the display looks "appealing" to the eye by being presented in a uniform manner. While the device disclosed in Royer may be used to hold one or more papers, it teaches and suggests multiple papers which are aligned one on top of another so that only the topmost sheet is visible. Such a device according to Royer is entirely ineffective in efforts to simultaneously display multiple items next to one another in a substantially contiguous manner.

For at least the above-presented reasons, Applicant maintains that Royer does not describe, teach, or suggest each and every element of the Newly Amended Claims, and these Claims are patentable over Royer under 35 U.S.C. § 102(b).

#### KOUTRAS '709

US Patent Registration No. 6,718,709 to Koutras, is an entire system that, in order to function effectively, requires a coordination of certain pre-determined properties in the relationship between connector and held item. For instance, Koutras specifically recites an entire system in which "a plurality of hollow panel sections" are "interconnecting" with "plastic connector components." In order for the connector device to function, the item which gets held, a "panel", must also have a thickness greater than the slot ("narrow opening") in the connector into which the panel gets inserted. Koutras recites a specific type of panel and does not teach or suggest a connector which may be readily used to connect any type of panel, or object other than a specific, hollow panel which is an integral part of the Koutras display system. Thus, only panels which are thick enough to afford some tension as they are inserted because the panel is thicker than connector opening, but not so thick as to preclude entry at all, will permit the interrelated functioning of Koutras' specific connector and panel.

The reason that this is of particular relevance is to call attention to the fact that Koutras requires the superior thickness of panels in relation to the connectors for imparting "holding friction" which serves to keep the panels and connectors together. Koutras does not teach, support, or suggest a means with regard to the connector itself to enforce the connection between the connector and panel, such as a graduated, sloping, narrowing interior of the narrow opening in the connector. A graduated, sloped narrowing interior of the connector opening would remove the need for a panel to be slightly larger than the width of said narrow opening and would allow for a panel to be the same thickness or even thinner than the opening since friction pressure could/would

be imparted within the recess of the opening, rather than the result of the slightly wider size in relation to the opening of the connector.

Part of the reason Koutras does not anticipate or teach the need for gradiated interior tension in connection with the connector device is that the entire system is intended to be placed on the ground. Koutras only teaches a display system which is placed on the ground, rather than hung on a wall. This difference in the use of the Koutras system is significant because of the systems interrelation with the force of gravity. When placed on a floor, gravity works together with the system, providing support. The weight of the system pushes downward as a result of gravity and the ground functions to counter the effect of gravity, thereby maintaining the panels together. Conversely, when a panel-connector system is not supported by a base, as in the case for a wall-hung display, gravity works against the system, working to pull apart the elements of the display.

Koutras also does not describe, teach or even allude to a device, or even a system or part thereof, which includes transparency of any portion of a connector.

For at least the above-presented reasons, Applicant maintains that Koutras does not describe, teach, or suggest each and every element of the Newly Amended Claims, and these Claims are patentable over Koutras under 35 U.S.C. § 102(b).

#### BURKHARD

US Patent Registration No. 5,121,526 to Burkard, fleetingly mentions paper as a item to be held, but since it is primarily geared towards coins, does not teach, suggest or consider the importance of guides in the device to ensure that paper, (i.e. cards) may be displayed in a uniform fashion. Part of the reason for this is that coins inherently have properties, such as a “lip”, which the Burkard invention does takes into consideration. Typically, however, paper does not similarly have “graspable” sections or textured surfaces, as do most coins. Thus, when paper gets inserted into the

device of Burkard, there is no guide means for ensuring the uniform, simultaneous display of a paper—or even other, substantially flat, non-coin items.

For at least the above-presented reasons, Applicant maintains that Burkard does not describe, teach, or suggest each and every element of the Newly Amended Claims, and these Claims are patentable over Burkard under 35 U.S.C. § 102(b).

#### CHANG

US Patent Registration No. 4,947,524 to Chang discloses clip specifically designed to hold papers and not particularly geared for the purpose of displaying items. Moreover, it exclusively provides for the holding of one set of paper(s) in one location, and does not provide for the simultaneous display of multiple items in a substantially contiguous manner.

For at least the above-presented reasons, Applicant maintains that Chang does not describe, teach, or suggest each and every element of the Newly Amended Claims, and these Claims are patentable over Chang under 35 U.S.C. § 102(b).

#### HUNT

US Patent Registration No. 5,697,131 to Hunt, discloses a money clip designed to hold cash paper bills, and not particularly geared for the purpose of displaying items. Moreover, it exclusively provides for the holding of one set of paper(s) in one location as storage, and does not provide for the simultaneous display of multiple items in a substantially contiguous manner.

For at least the above-presented reasons, Applicant maintains that Hunt does not describe, teach, or suggest each and every element of the Newly Amended Claims, and these Claims are patentable over Hunt under 35 U.S.C. § 102(b). The grounds for this rejection are respectfully traversed.

## LAWRENCE

US Patent Registration No. 6,457,218 to Lawrence, discloses a unitary clip which permits the holding of one set of paper(s) in one location, and does not provide for the simultaneous display of multiple items in a substantially contiguous manner.

For at least the above-presented reasons, Applicant maintains that Lawrence does not describe, teach, or suggest each and every element of the Newly Amended Claims, and these Claims are patentable over Lawrence under 35 U.S.C. § 102(b).

### SPECIFICATION

Please amend the title from MULTI-ITEM HOLDER DEVICE AND SYSTEM to the new title of MULTI-ITEM HOLDER DEVICE, and please assign the Docket No. JGPAT012a03US to this subject application. Please find enclosed a re-submitted Specification labeled "Appendix A" which has been placed in proper format according to USPTO requirements at the request of the Examiner.

The following information related to the Specification is herein submitted for entry in connection with the subject application in between the second to last paragraph in the original Specification and the last paragraph which starts "While the preferred embodiment...":

In an alternate embodiment(s), Back Plate **26** may be of metal. In this instance a Glue **36** would serve as a preferred means of joining Front Plate **22** to Back Plate **26**. Furthermore, it is possible for Back Plate **26** to be used alone, produced via an injection molding process which includes having Raised Guide Edge **32** integrally molded therewithin, and having Glue **36** smeared along its surface, excluding the surface of Raised Guide Edge **32**, and subsequently covered to preserve the "sticky" property of Glue **32** until such time as use is desired through covering by Glue Cover **34**. In this manner, when use is desired, Glue Cover **34** is removed, and a display item to be

held by the device of this disclosure is subsequently affixed to the portion of Back Plate **26** covered with Glue **36** which is revealed by the removal of Glue Cover **34**.

In the even that a greater tension is desired in the preferred embodiment, Insertable Grip-Enhancing Aid **40** may be inserted into the cavity formed between the joined Front Plate **22** and Back Plate **26**. The introduction of Insertable Grip-Enhancing Aid **40** in conjunction with a display item increases the holding pressure of said cavity. Alternatively a texturing of either Front Plate **22** or Back Plate **26** may be accomplished in order to provide greater friction to a display item.

Either Glue **36** covered with Glue Cover **34** may be used with most any embodiment of this advice preferably located on the back surface of Back Plate **26**. Moreover, Magnet **38** may also be used in such a manner in order to provide for the device of this disclosure to cling to metal such as a conventional refrigerator door.

In yet another embodiment, no tension-imparting means may be required between Back Plate **26** and a display item or items. When rubber bands or string are used to connect hook-like elements on the back surface of Back Plate **26**, then display items may be held together by the sheer force of the pulling created by the tension of said rubber bands or string.

The Newly Amended "Specification" presented herein recites features contained within the Original Claims and Drawings of the patent application and, therefore, the above-referenced amendments do not present any new matter.

## **DRAWINGS**

The Examiner has objected to the drawings under 37 CFR 1.83(a) on the basis that the drawings must show every feature of the invention specified in the claims. A reference and reference number has been assigned in the drawings regarding a “glue-like element” which is disclosed in the original application, so no new matter is entered.

Corrected replacement drawing sheets in compliance with 37 CFR 1.121(d) required by the Examiner are herein submitted. Drawing figures 14, 40, 41, 42, 43, 44, 45, 46, 67, 68, 69, and 70 are hereby cancelled, and the remaining figures have been renumbered. For consistency, appropriate changes have been made to the brief description of the several views of the drawings. Each drawing sheet has been labeled in the top margin as “Replacement Sheet.”

## **CONCLUSION**

Accordingly, for at least the reasons set forth herein by Applicant in this case, Applicant maintains that no prior art describes, teaches, or suggests the combination of each and every element of the Newly Amended Claims, and that these Claims are patentable over all prior art under 35 U.S. C. Section 102(b).

In view of the foregoing remarks, and as demonstrated above with the submission of amended claims, applicant respectfully requests the entry of the amendments contained herein, and contends that this application should now be in condition for allowance. A notice to this effect is respectfully requested. Because the reasons above are sufficient to warrant allowance for this patent application, Applicant has not explored, nor is there now presented, other possible supporting information in response to the First Office Action. Nonetheless, Applicant expressly reserves the right to present further supporting information in the future, if appropriate, in response to any subsequent Office Action. After considering these remarks, if the Examiner believes that a



telephone conference with Applicant would be advantageous towards the disposition of this case in a manner favorable to Applicant, the Examiner is requested contact Applicant at the telephone number listed below.

A petition for a two-month extension of time and associated fee for extending the time to respond to Office Action from May 22, 2005 until July 22, 2005 has been filed in duplicate herewith. No additional fee is believed to be required. However, if an additional fee is required or otherwise necessary to cover any deficiency in fees paid, authorization is hereby given to charge Applicant's USPTO Deposit Account No. 50-3511. An early and favorable action is hereby requested.

Respectfully submitted,

Date:

7/22/05

By:



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